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Bruce Levinson

Gregory Brown

September 11, 2008

MEMO ENDORSED

IT IS ORDERED that counsel to whom this Memo Endorsement is sent is responsible for faxing or otherwise delivering promptly a copy to all counsel and unrepresented parties and filing a certificate of such service within 5 days from the date hereof. Do not attach such certification to Chambers.

VIA FACSIMILE
(212) 805-0426

Hon. Laura Taylor Swain
United States District Court
500 Pearl Street, Room 755
New York, New York 10007

Re: Capitol Records, Inc. v. City Hall Records, Inc., et al.; Case No 07-cv-6488 (LTS) (KNF)

Honorable Madam:

We are the attorneys for third-party defendant Acrobat Music Group Ltd. ("Acrobat"), and are in the process of being retained by third-party defendant Hasmick Promotions Ltd. ("Hasmick"). Pursuant to Rule 6(b), we respectfully request that our clients be granted a thirty day extension of time in which to serve an answer or otherwise move.

Although the twenty days in which third-party defendants were obligated to answer has expired, both Acrobat and Hasmick are entities formed pursuant to the laws of the United Kingdom, each having its principal place outside the United States. Accordingly, they are unfamiliar with our country's judicial process and believed that they had at least thirty days to answer the third-party complaint because of the notice to that effect contained in third-party plaintiff's summons. In addition, our clients were burdened with finding legal counsel in this country.

For all of the foregoing reasons, third-party defendants respectfully request a thirty-day extension of time in which to answer or otherwise move with respect to the third-party complaint. In the event the Court believes a motion for an extension of time is necessary pursuant to Rule 6(b)(1)(B), we request leave to submit such a motion within ten days.

We telephoned counsel for City Hall Records, Inc. this morning to request an extension of time, but were unable to reach either Ms. Romero or Ms. Zibas. Given that there should be no prejudice while we get up to speed on the matter, and because defaults are disfavored, a brief extension is in order.

Hon. Laura Taylor Swain
September 11, 2008
Page 2

Thank you for your attention to this matter.

Respectfully yours,

Bruce Levinson

cc.: Joanne Jennifer Romero, Esq. (via fax: 212-232-1399)
Matthew Jan Oppenheim, Esq. (via fax: 866-766-1678)
Acrobat Music Group Ltd.
Hasmick Productions Ltd.

Third-party plaintiffs having indicated their consent to a 20-day extension by letter dated 9/12/08, third-party defendants' time to respond to the third-party complaint is hereby extended for twenty (20) days from the date of this order.

SO ORDERED.

NEW YORK, NY


LAURA TAYLOR SWAIN

Sept 12, 2008 UNITED STATES DISTRICT JUDGE